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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

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11 ABDUL BASED,

Case No. 2:19-cv-01666-GMN-DJA

12 Petitioner,

ORDER

13 v.

14 WILLIAM BARR, et al.,

15 Respondents.

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17 Before the court is respondents' motion to dismiss (ECF No. 23). Petitioner has not filed a
18 response. The court grants the motion.

19 Petitioner claimed that he was taken into custody improperly at or before the start of his
20 removal proceedings. The court denied his request for a temporary restraining order because, by
21 the time petitioner had commenced this action, a valid order of removal had been entered against
22 petitioner, and he appeared to be in valid custody pending removal under 8 U.S.C. § 1231(a).
23 According to respondents, petitioner has been removed from the United States, and he no longer
24 is in custody. Petitioner has not responded. This action is moot.

25 Also before the court are respondents' earlier motion to dismiss (ECF No. 12) and
26 petitioner's motion for judgment (ECF No. 15). Petitioner's removal from the United States has
27 mooted these motions.

Reasonable jurists would not find the court's conclusions to be debatable or wrong, and the court will not issue a certificate of appealability.

IT THEREFORE IS ORDERED that respondent's motion to dismiss (ECF No. 12) is **DENIED** as moot.

IT FURTHER IS ORDERED that petitioner's motion for judgment (ECF No. 15) is
DENIED as moot.

IT FURTHER IS ORDERED that respondents' motion to dismiss (ECF No. 23) is GRANTED. This action is **DISMISSED** because it is moot. The clerk of the court will enter judgment accordingly and dismiss this action.

10 IT FURTHER IS ORDERED that a certificate of appealability will not issue.

DATED: April 7, 2020

GLORIA M. NAVARRO
United States District Judge